

**PROPOSED REGULATION OF THE NEVADA
STATE BOARD OF OPTOMETRY**

LCB File No. R215-03

December 12, 2003

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §1, NRS 636.125.

Section 1. Chapter 636 of NAC is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in this section, a copy of a prescription for a polymethylmethacrylate (hydrophobic) contact lens, rigid gas permeable contact lens or soft (hydrophilic) contact lens issued by an optometrist must be:

- (a) Provided to the patient, upon an oral or written request from the patient.*
- (b) Released to an authorized agent of the patient, upon a written request from the patient.*
- (c) Verified to an authorized agent of the patient, upon a written request from the patient.*

2. An optometrist shall not release a prescription for a polymethylmethacrylate (hydrophobic) contact lens, rigid gas permeable contact lens or soft (hydrophilic) contact lens to a patient, until the optometrist has:

- (a) Conducted an initial evaluation of the fit of the lens on the eye of the patient;*
 - (b) Conducted any follow-up examination that the optometrist deems medically necessary;*
- and*
- (c) Determined that a successful fit has been achieved.*

3. An optometrist shall not fail or refuse to provide all the information necessary to duplicate accurately a prescription for a polymethylmethacrylate (hydrophobic) contact lens, rigid gas permeable contact lens or soft (hydrophilic) contact lens unless the optometrist maintains proper documentation of a sufficient clinical rationale.

4. Upon the release of a prescription for a polymethylmethacrylate (hydrophobic) contact lens, rigid gas permeable contact lens or soft (hydrophilic) contact lens, no changes may be made in the brand or type of lens prescribed without the issuance of a new prescription. A new prescription to make changes in the brand or type of lens prescribed must not be issued unless an optometrist has completed any evaluations or examinations that the optometrist deems medically necessary for such changes.

5. After the release of a prescription for a polymethylmethacrylate (hydrophobic) contact lens, rigid gas permeable contact lens or soft (hydrophilic) contact lens, the prescriber is not liable for any future changes in the fitting or dispensing of the lens by another source.

6. If a patient requests the release of a prescription for a polymethylmethacrylate (hydrophobic) contact lens, rigid gas permeable contact lens or soft (hydrophilic) contact lens before an optometrist has completed any evaluation or examination that the optometrist deems medically necessary, the optometrist may release a prescription for an ophthalmic lens which must indicate that the prescription is not approved for contact lenses in the manner set forth in NRS 636.387.